

1
2
3
4
5
6
7
8 **UNITED STATES DISTRICT COURT**
WESTERN DISTRICT OF WASHINGTON AT TACOMA

9 CHERYL BLANCHARD,

10 Plaintiff,

11 vs.

12 MORTON SCHOOL DISTRICT, et al.,

13 Defendants.

NO. CV 02-5101 FDB

**ORDER GRANTING DEFENDANTS'
MOTION FOR ORDER
CORRECTING CLERICAL
MISTAKES IN ORDER GRANTING
MOTION FOR SUMMARY
JUDGMENT OF DISMISSAL**

**Note on Motion Calendar:
May 5, 2006**

14
15 This matter came before the above-entitled Court on the defendants' Fed. R. Civ.
16 P. 60(b) motion for order correcting clerical mistakes in the April 20, 2006 Order
17 Granting Motion for Summary Judgment of Dismissal [*Docket 60*].

18 The Court considered the motion, opposition documents filed by the plaintiff, and
19 reply documents filed by the defendants, if any.

20 It is hereby:

21 ORDERED that the defendants' Fed. R. Civ. P. 60(b) motion for order correcting
22 clerical mistakes in the Court's Order Granting Motion for Summary Judgment of
23 Dismissal is granted. The language contained on paragraph 6 of the order is hereby
24 changed as follows:

25 //

26 //

//

**ORDER GRANTING DEFS.' MOTION FOR ORDER
CORRECTING CLERICAL MISTAKES IN ORDER
GRANTING MOTION FOR SUMMARY JUDGMENT OF
DISMISSAL - 1**

*LAW, LYMAN, DANIEL,
KAMERRER & BOGDANOVICH, P.S.*
ATTORNEYS AT LAW
2674 RW JOHNSON RD., TUMWATER, WA 98512
PO BOX 11880, OLYMPIA, WA 98508-1880
(360) 754-3480 FAX: (360) 357-3511

1 . . .

2 **D. Individual Liability.**

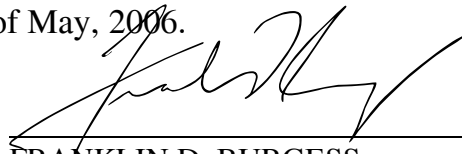
3 **(1) Dismissal of Individuals for Failure of Service.**

4 On February 14, 2003, the court entered an order that it would grant
5 defendants' then outstanding motion to dismiss for insufficiency of process
6 if the defendants were not served by March 14, 2003. Returns of service
7 for Defendants Regine Alexsunas and Jim Grossman were never filed.
8 Accordingly, all claims against them are dismissed.

9 **(2) Dismissal of Remaining Individual Defendants.**

10 Ms. Blanchard named two additional individual defendants in her
11 complaint, former superintendent Russ Davis and former principal Robyn
12 Goodwin. The District argues that these defendants may not be held
13 individual liable under the ADA. . . [remaining language in this section
14 unchanged].

15 Dated this 19th day of May, 2006.

16 
17 FRANKLIN D. BURGESS
18 UNITED STATES DISTRICT JUDGE

19 **Presented by:**

20 LAW, LYMAN, DANIEL,
21 KAMERRER & BOGDANOVICH, P.S.

22 */s/ Jocelyn J. Lyman*

23

Jocelyn J. Lyman, WSBA 11894
24 Attorney for Defendants
25 P.O. Box 11880
26 Olympia, WA 98508-1880
Telephone: (360) 754-3480
Fax: (360) 357-3511
E-Mail: *jlyman@lldkb.com*